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Date of Signature and Deposit: December 27, 2006


Bennett J. Berson, Reg. No. 37,094

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William R. Graves
James A. Schrader

Date: December 27, 2006

Serial No.: 10/719,164

Art Unit: 1661

Filing Date: November 21, 2003

Examiner: Wendy C. Haas

Title: SEASIDE ALDER NAMED SEPTEMBER SUN

File No.: 480927.00002

Confirmation No.: 2344

RESPONSE

Mail Stop AF
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 28, 2006, in the file of the above-identified application, the applicants hereby respond as follows:


The **Claim** is reflected in the listing that begins on page 2 of this paper.

Remarks/arguments begin on page 3 of this paper.

CERTIFICATION OF FACSIMILE TRANSMISSION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FACSIMILE TRANSMISSION COVER SHEET

TO: Commissioner for Patents
Attention: Examiner: Wendy C. Haas
P O Box 1450
Alexandria, VA 22313-1450
Telecopy No.: 571-273-8300

FROM: Bennett J. Berson, Esq.
Reg. No. 37,094
Quarles & Brady LLP
P O Box 2113
Madison, WI 53701-2113
TEL: (608) 251-5000
FAX: (608) 251-9166

NUMBER OF PAGES: 48

Inventors: William R. Graves/James A. Schrader
Serial No.: 10/719,164
Filing Date: November 21, 2003
For: Seaside Alder Named September sun
Group Art Unit: 1661
Examiner: Wendy C. Haas
Attorney Docket Number: 480927.00002

IN CASE OF A PROBLEM, CALL (608) 251-5000

PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	225.00
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Complete if Known

Application Number	10/719,164
Filing Date	November 21, 2003
First Named Inventor	William R. Graves
Examiner Name	Wendy C. Haas
Art Unit	1661
Attorney Docket No.	480927.00002

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METHOD OF PAYMENT (check all that apply)

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- ☒ Deposit Account Deposit Account Number: 17-0055 Deposit Account Name: Quarles & Brady
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
_____ - 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
_____ - 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 2.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____				

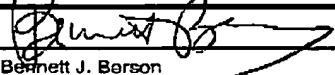
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late filing surcharge

225

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 37,094	Telephone 608.251.5000
Name (Print/Type)	Bennett J. Berson		Date December 27, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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